

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Change of use to mixed use (sui generis) including elements of use class 18 - non residential medical and use class 10 - general retail; alter roof form and install rooflights to north (rear) elevation, erect canopy, alter shop front/fenestration. Install gable window to east (side) elevation, install external insulation, alterations to fenestration and hard surfaced area and parking.

LOCATION: Officepoint (Gsy) Ltd, Les Barras Lane, Vale.

APPLICANT: Specialeyes Guernsey Ltd

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 03/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/03/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: g2a Architecture: 2855-01 B1a & B2b

Application Ref: FULL/2024/0464

Property Ref: C02097A003

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of

grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

Expiry Date: This permission will cease to have effect on 03/07/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

Please ensure that you notify the Planning Service in writing of the date on which the change of use takes place. Once the change has been made the property will be classified as shown above. Failure to notify the Planning Service as required may lead to delay in any future property search or use class enquiry resulting from incorrect classification of the property.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning

Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2024/0464
Property Ref: C02097A003
Valid date: 19/03/2024
Location: Officepoint (Gsy) Ltd Les Barras Lane Vale Guernsey GY6 8EE
Proposal: Change of use to mixed use (sui generis) including elements of use class 18 - non residential medical and use class 10 - general retail; alter roof form and install rooflights to north (rear) elevation, erect canopy, alter shop front/fenestration. Install gable window to east (side) elevation, install external insulation, alterations to fenestration and hard surfaced area and parking.

Applicant: Specialeyes Guernsey Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition

as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

INFORMATIVES

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

Please ensure that you notify the Planning Service in writing of the date on which the change of use takes place. Once the change has been made the property will be classified as shown above. Failure to notify the Planning Service as required may lead to delay in any future property search or use class enquiry resulting from incorrect classification of the property.

OFFICER'S REPORT

Brief Description of the site:

The application site is located adjacent to Barras Lane Industrial Estate and close to the junction with Les Barras Lane and Pleinheume Road.

The site is located Outside the Centre as designated in the Island Development Plan (IDP).

Relevant History:

None relevant

Existing Use(s):

10 General retail

Assessment: *(Tick as appropriate)*

no representation

✓
✓
✓
✓

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

✓
✓
✓

Policies considered most relevant:

GP8 – Design

GP9 – Sustainable development

OC2- Social and Community Facilities Outside the Centre

OC4 - Retail Outside the Centre

GP16A- Conversion of Redundant Buildings.

Conclusion/Brief comment:

The premises has an existing general retail use and the proposed use for Websters Opticians is *suis generis* (mix of health care- use class 18 and retail- use class 10) and so a change of use is required. This means that Policies OC2 and OC4 are relevant when considering the principle of the development.

OC2 allows new social, and community uses where achieved through the conversion of a redundant building (in compliance with GP16A). The proposal is considered acceptable in relation to the requirements of GP16A a) as the application states that Officepoint no longer require a showroom and shop of this size due to increasing online sales. The unit is therefore vacant and the site visit also clearly demonstrated that the unit was empty and no longer required for its current use.

The proposed health care use is considered as a social and community use for the purposes of the IDP which is therefore acceptable under this policy, and the building itself is considered of sound and substantial construction. No structural report has been submitted alongside the application, but the site visit revealed a well-maintained building with no obvious or significant external defects, and the works proposed involve minimal alterations/works. The alterations to the roof height are only required to ensure a level floor area throughout and ensure the development is suitable for all ages and abilities, and not for structural reasons.

The proposal will not have an impact on a protected building, building of character or the landscape character of the area. The conversion involves only a modest extension to the entrance, with the addition of a canopy.

The proposed increase in height of the existing rear extension has been kept to a minimum to avoid harm to the neighbours amenity, and the change of use itself is considered unlikely to generate significantly more disturbance than the existing retail use of the site.

Policy OC4 supports the extension, alteration and redevelopment of existing retail premises Outside the Centre where the development is of limited scale to provide for minor alterations to facilitate the continuation of the existing retail use at its current level of operation and there would not be an unacceptable adverse impact on the visual character and amenity of the locality.

The proposed alterations to the access, increase in roof height to the existing rear extension, external render and front canopy provide small scale alterations which do not increase the floor area and would not adversely affect the vitality of the Main Centre or Local Centres.

The new gable glazing to the east (side) elevation is acceptable as this serves the ground floor and is high level with a sill height of approx. 3m above ground level, this will therefore have a minimal impact on the neighbouring residential dwelling.

The installation to the front canopy, alterations to the shop front, application of external render and new replacement hardstanding are considered appropriate in terms of design, and satisfy Policy GP8 and GP9.

Details of signage have not been included within the application, and an informative note has been included to remind the applicant that permission is also required for new signage which would not meet the exemption criteria.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 01/07/2024

